

REMARKS

Claims 3-5, 8, 9, 14, and 15 will be pending in the present application following entry of the present amendment. Claims 1 and 2 have been cancelled without prejudice to or disclaimer of the subject matter contained therein. New claim 15 has been added. This new claim is supported by the originally-filed claims and specification including, for example, original claim 2. Claims 3-5 and 14 have been amended to depend from new claim 15, and claim 9 has been amended to delete one of the listed compounds. No new matter has been added by way of amendment. The amendments are made pursuant to suggestions in the Office Action. It is respectfully requested that the present amendment be entered and the rejections of the claims be withdrawn.

The Rejections under 35 U.S.C. §103 Should be Withdrawn

The rejection of claims 1, 5, and 14 under 35 U.S.C. §103(a) as being unpatentable over PCT Publication No. WO 2004/089286 (*Ding et al.*) has been maintained. In order to expedite prosecution, claim 1 has been cancelled. New claim 15 has added. This new claim incorporates the limitations of original claim 2, which the Examiner has found to be patentable over *Ding et al.* Claims 5 and 14 have been amended to depend from new claim 15. In view of these amendments, all grounds for rejection under 35 U.S.C. §103 have been obviated. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

The Rejections under 35 U.S.C. §112, Second Paragraph, Should be Withdrawn

The rejection of claims 1-5, 8, and 14 under 35 U.S.C. §112, second paragraph, has been maintained. The Examiner argues that the meaning of the dotted line shown in Formula (I) as recited in claim 1 is unclear. Claim 1 has been cancelled, and new claim 15, which encompasses compounds of Formula (Ia), has been added. Formula (Ia) does not contain the dotted line as shown in Formula (I). Claims 3-5, 8, and 14 have been amended to depend from new claim 15. In view of these amendments, all grounds for rejection under 35 U.S.C. §112, second paragraph, have been overcome. Reconsideration and withdrawal the rejections are requested.

CONCLUSION

For at least the foregoing reasons, Applicants respectfully request entry of this Amendment After Final and the issuance of a Notice of Allowance forthwith. Should the Examiner have any concerns regarding the foregoing, Applicants encourage the Examiner to contact the undersigned, who may be reached at (919) 483-1467.

Respectfully submitted,

/Kathryn L. Coulter/

Kathryn L. Coulter
Attorney for Applicant
Registration No. 45,889

Date: May 14, 2010
Customer No. 23347
GlaxoSmithKline
Global Patents
Five Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709-3398
Telephone: (919) 483-1467
Facsimile: (919) 483-7988